

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8610

UNITED STATES OF AMERICA,  
Plaintiff,

v.

Alan James REED

Defendant

) Mag. Case No.  
) COMPLAINT FOR VIOLATION OF:  
)  
) Title 8, U.S.C., Section 1324  
) (a)(1)(A)(ii) -Illegal Transportation of  
) Alien(s)  
)  
)  
)  
)

The undersigned complainant, being duly sworn, states:

On or about July 5, 2008, within the Southern District of California, defendant Alan James REED, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, Ruperto HERRERA-Garcia, Julio Cesar SANTIAGO-Cortez and Marisela REJU-Ambriz had come to, entered or remained in the United States in violation of law, did transport or move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant states that this complaint is based on the attached statement of facts which, is incorporated herein by reference.

\_\_\_\_\_  
Senior Border Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 7th DAY OF JULY 2008

\_\_\_\_\_  
Peter C. Lewis  
United States Magistrate Judge

DEFENDANT: Alan James REED

I, Senior Border Patrol Agent Mikuski declare under penalty of Perjury, the following is true and correct:

## PROBABLE CAUSE STATEMENT

The complainant states that this complaint is based upon statements in the investigative reports by U.S. Border Patrol Agent I. Mendez that on July 5, 2008, the defendant, Alan James REED a citizen of the United States, was apprehended near Ocotillo, California, along with (5) five undocumented aliens from Mexico, in violation of law.

On July 5, 2008, at approximately 5:30 p.m., a red Chevrolet Monte Carlo with a California registration of 4CWU126 entered into the US Border Patrol's Highway S2 Checkpoint's primary inspection lane. Agent Mendez approached the driver, later identified as Alan James REED, and identified himself to him. As Agent Mendez questioned REED he noticed two individuals attempting to hide themselves in the rear seat. Agent MENDEZ referred REED to the secondary inspection area for further inspection.

In the rear passenger area and trunk of the car a total of five people were located and questioned. It was determined that all five are citizens of Mexico illegally in the United States. A registration check of the car revealed the registration plate did not belong to that car. REED and the undocumented aliens were placed under arrest.

At the Station, Agent Mendez witnessed Agent T. Lachenauer read REED his rights per Miranda. REED stated he understood his rights and was willing to talk to agents without an attorney present. REED stated a stranger came up to him in Tacate, California and let him borrow a vehicle and cell phone. REED stated he drove to Ocotillo, California to get some thing to eat. REED stated he signaled to two hitch hikers to get into the vehicle when he saw them on the roadside. REED stated he never left the two hitch hikers alone in the car. REED stated he believes the three people in the trunk must have jumped in when he stopped in Ocotillo, California, but he does not know how.

Material Witnesses Ruperto HERRERA-Garcia, Julio Cesar SANTIAGO-Cortez and Marisela REJU-Ambriz all stated arrangements were made in Mexico to be smuggled into the United States for the fee of \$3000. HERRERA, SANTIAGO and REJU all stated after crossing the International Border into the United States they waited for approximately a day before a vehicle picked them up. SANTIAGO and REJU stated when the red Monte Carlo arrived, the guide told them to hurry-up and get in. SANTIAGO and REJU stated they got into the trunk of the car and the driver, REED, knew they were in there.

HERRERA, SANTIAGO and REJU were all shown a six pack photo lineup and identified photo number five, REED, as the driver of the vehicle.

The complainant states that the names of the Material Witnesses are as follows:

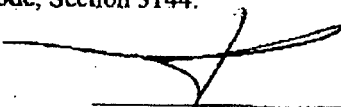
| <u>NAME</u>                 | <u>PLACE OF BIRTH</u> |
|-----------------------------|-----------------------|
| Ruperto HERRERA-Garcia      | Mexico                |
| Julio Cesar SANTIAGO-Cortez | Mexico                |
| Marisela REJU-Ambriz        | Mexico                |

Further, complainant states that Ruperto HERRERA-Garcia, Julio Cesar SANTIAGO-Cortez and Marisela REJU-Ambriz are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and

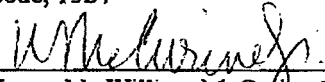
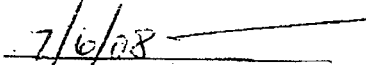
DEFENDANT: Alan James REED

they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

Executed on July 6, 2008, at 10:00 A.M.

  
\_\_\_\_\_  
Michael Mikuski  
Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find Probable Cause to believe that the defendant named in this probable cause statement committed the offense on July 5, 2008 in violation of Title 8, United States Code, 1324

  
\_\_\_\_\_  
Honorable William McCutcheon Jr.  
United States Magistrate Judge  
\_\_\_\_\_  
7/6/08  
Date/Time